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UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

In re:	*	
	*	
JON D. LURIA,	*	Case No. 10-14274-BFK
ELLEN K. LURIA,	*	(Chapter 7)
Debtor(s).	*	

ORDER GRANTING TRUSTEE'S MOTION TO SELL PROPERTY
OF THE ESTATE BACK TO DEBTOR

Upon Consideration of the Trustee's Motion To Sell Property Of The Estate Back
To Debtor ("the Motion"), and any response, it is

ORDERED, that the Motion be, and hereby is, GRANTED, and the Trustee is
authorized to sell property of the estate pursuant to 11 U.S.C. § 363(b) and Federal Rule of
Bankruptcy Procedure 6004(a)-(b) on the terms and conditions set forth in the Notice Of
Intention To Sell Property Of The Estate filed in connection with the Motion and to take
any actions provided therein without further Order of the Court, namely:

PROPERTY FOR SALE: Debtor Ellen K. Luria's one-third interest in real
property located at 701 Southwest 141st Avenue, 213R, Pembroke Pines, Florida ("the
Property").

LEGAL DESCRIPTION OF REAL PROPERTY FOR SALE: Plymouth at
Century Village No. 3, Unit 213 Building R, Parcel No. 51-40-15-AA-1990, Broward
County, Florida (one-third interest).

INTEREST BEING SOLD: Debtor Ellen K. Luria's entire one-third fee simple
interest in the Property.

TYPE OF SALE: Private.

PRIVATE SALE PRICE: \$16,000.

APPRAISAL VALUE: Not available. 2010 assessment for Property was \$69,680.

Property was sold by Debtor Ellen K. Luria and the two co-owners (her sisters) to a third party on June 16, 2011 for \$62,000, with a net to the three sellers of \$54,851.00. The Trustee understands that carrying costs for the Property, which was acquired by the Debtor Ellen K. Luria and her two sisters through inheritance or devise from their relative Muriel H. Slater, totaled about \$500 per month. As a result, the actual market value for the Property is consistent with the agreed sale price between the Trustee and Ellen K. Luria, which was paid on December 31, 2010 with no sale or carrying costs.

BUYER: Debtor Ellen K. Luria.

TIME AND PLACE OF SALE: Upon Court approval. Debtor has already paid the Trustee the agreed sale price of \$16,000. As a practical matter, no closing will be necessary because the Property was already in the name of the Debtor and her two sisters and has already been sold to a third party.

LIENS: None.

DEBTOR'S EXEMPTIONS: None.

TAX CONSEQUENCES TO ESTATE BY SALE: None, because the Debtor Ellen K. Luria's one-third interest in the Property was acquired relatively recently through inheritance or devise and as a result presumably has a tax basis approximately equal to the agreed sale price. In addition, the Property was originally purchased by the Debtor's relative Muriel H. Slater for \$77,000 in 1998 and, the Trustee believes, was Ms. Slater's home and not a rental property. If that is correct, then there is no capital gain even without any stepped-up basis resulting from Ms. Slater's death.

NET SALE PROCEEDS PAID TO ESTATE: \$16,000.

Date: _____

Brian F. Kenney
U.S. Bankruptcy Judge

I ask for this:

/s/ Kevin R. McCarthy
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Local Rule 9022-1(C) Certification

The foregoing Order was endorsed by all necessary parties or served upon all necessary parties as indicated in the Certificate of Service attached to the Motion, pursuant to Local Rule 9022-1(C).

/s/ Kevin R. McCarthy

Kevin R. McCarthy

PARTIES TO RECEIVE COPIES

all registered ECF participants who have appeared in this case